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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/744,733

01/29/2001

David Huat

1200.448

3497

7590

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EXAMINER

DOLINAR, ANDREW M

ART UNIT

PAPER NUMBER

3747

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/744,733
Filing Date: January 29, 2001
Appellant(s): HUART ET AL.

MAILED

SEP 02 2005

Group 3700

Matthew W. Stavish
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 24, 2005 appealing from the Office action mailed February 10, 2005.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

JP 63-309768

Uchida et al

12-1988

(translation provided herewith)

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 3-6 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Uchida et al (JP 63-309768). Figure 1 shows a flywheel arrangement with a friction clutch

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including a reaction plate (3) and a torsion damper, including a spring 27 between two guide washers, penetrating into a recess as claimed.

(10) Response to Argument

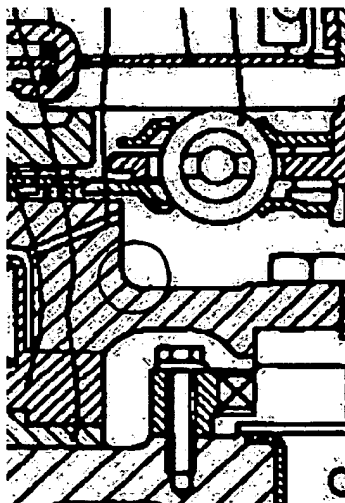
Regarding claim 1:

Appellant disagrees with the examiner's interpretation that the guide washer on the left side of spring 27 that projects into the recess of reaction plate 3 as shown in Figure 1 of Uchida et al corresponds to the second guide washer as claimed. Claim 1 is deemed broad enough that either guide washer could be construed as the second guide washer. Appellant has not explained how the claim language is believed to distinguish this feature over Uchida et al.

One must bear in mind that, especially in nonchemical cases, the words in a claim are generally not limited in their meaning by what is shown or disclosed in the specification. See, e.g., *Liebel-Flarsheim Co. v. Medrad Inc.*, 358 F.3d 898, 906, 69 USPQ2d 1801, 1807 (Fed. Cir. 2004).

Regarding claim 4:

An inclined portion, to the extent specified by claim 4, is defined by the rounded transition area at the innermost part of the peripheral wall defining the recess as shown in Figure 1 of Uchida et al.



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Regarding claim 26:

Claim 26 does not specify the location of the clearance means relative to other elements with respect to the chignons. As can be seen in Figure 1 of Uchida et al (see page 6 of appellant's brief), there areas surrounding the chignon that can be construed as a clearance means to the extent claimed.

Regarding claims 3, 5 and 6, appellant does not argue specific limitations.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



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